

**Introduced by Senator Kuehl**

February 13, 2003

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An act to add Section 114716 to the Health and Safety Code, relating to radiation.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 208, as introduced, Kuehl. Radiation: contamination.

(1) The existing Radiation Control Law requires the State Department of Health Services, among other things, to issue licenses, and prohibits the state department from issuing a license to receive radioactive material for disposal on land unless specified requirements are satisfied. Existing law prohibits any person from burying, throwing away, or disposing of radioactive waste except in a manner that will result in no significant radioactive contamination of the environment.

This bill would require the department to direct a person who owns a site, as defined to mean all parcels of land that comprise the Santa Susana Field Laboratory in Ventura County, for which the department determines that a partial or full reactor meltdown has occurred, to use thorough and rigorous monitoring of the site using best available technology, equipment, and methodology, as specified.

The bill would prohibit a person from selling, transferring, or leasing that site, for which the department has made that determination, for any subsequent land use unless the site cleanup meets specified radiation dose standards. The bill would require that a person who removes material from that site that has radioactive contamination above background to transfer the material to a disposal facility specifically licensed for that type of waste.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



*The people of the State of California do enact as follows:*

SECTION 1. Section 114716 is added to the Health and Safety Code, to read:

114716. (a) The department shall require a person who owns a site, for which the department determines that a partial or full reactor meltdown has occurred on that site, to use thorough and rigorous monitoring of the site using best available technology, equipment, and methodology, to provide a high assurance that any residual contamination is identified. The monitoring of the site shall be consistent with those measures provided in the United States Environmental Protection Agency's September 2001 Draft Scoping Document for Development of Workplan for a Soil Radiation Survey of Santa Susana Field Laboratory Area IV. The department shall require the monitoring measures at the site to consist of at least 80 percent of the amount of surface and subsurface soil samples identified in that document.

(b) No person shall sell, transfer, or lease a site for which the department has made the determination specified in subdivision (a) for any subsequent land use unless the site cleanup meets the radiation dose standards provided in Section 15 of the "Guidance for Cleanup of Radioactivity on Closing Military Bases for Unrestricted Public Use of Property" issued by the Radiological Health Branch of the department on April 5, 1994.

(c) If any person removes material removed from a site for which the department has made the determination specified in subdivision (a) and the material has radioactive contamination above background, the material shall be transferred to a disposal facility specifically licensed for that type of waste by any of the following:

(1) The department, pursuant to Chapter 8 (commencing with Section 114960).

(2) The Nuclear Regulatory Commission.

(3) A state that has entered into an agreement pursuant to Section 2021 of Title 42 of the United States Code.

(4) An authorized disposal site at a Department of Energy facility.

(d) For purposes of this section, the following definitions apply:

1 (1) “Background” means the local level of radioactivity from  
2 nature of like materials without enhancement by human activity,  
3 plus the local levels of fallout from nuclear weapons testing and  
4 the local deposition of fallout from past nuclear accidents located  
5 elsewhere in the world, including, but not limited to, the nuclear  
6 accident in Chernobyl.

7 (2) “Partial or full reactor meltdown” means an event at a  
8 nuclear reactor that results in more than 2 percent of the fuel  
9 elements experiencing any melting of fuel or cladding or  
10 fuel-cladding eutectic.

11 (3) “Site” means all parcels of land that comprise the Santa  
12 Susana Field Laboratory in Ventura County.

